

**IN THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

RAYMOND SKELTON,)	
)	Civil Action No. 1:19-cv-18597-RMB-
)	SAK
)	
<i>Plaintiff,</i>)	
v.)	
)	<i>DOCUMENT FILED</i>
)	<i>ELECTRONICALLY</i>
VICTORIA L. KUHN, et al.,)	
)	
)	
<i>Defendants.</i>)	

**AFFIDAVIT IN SUPPORT OF MOTION FOR
SERVICE BY ALTERNATIVE METHOD**

Plaintiff's counsel hereby declares as follows:

1. Plaintiff filed their Complaint on October 2, 2019.
2. Plaintiff filed a Second Amended Complaint naming DOE Defendants on December 15, 2023.
3. A Summons for service on Defendant Jamil Howard ("Howard") was issued on March 3, 2023.
4. A Summons for service on Defendant Candice Myers ("Myers") was issued on March 3, 2023.
5. Service was first attempted via process server employed by Plaintiff at Defendant Howard's previous known address (24 Belmont Circle, Trenton, NJ

08618) on March 21, 2023. The property was vacant and the utilities had been shut off.

6. Counsel then performed an Internet search for other last known address(es) for Defendant Howard and obtained another possible address.

7. Service was next attempted by the process server through Defendant Howard's last known address on March 30, 2023 at 250 Plaza Blvd Apt E9 Morrisville, PA 19067, there was no answer at the door, though a tv could be heard on in the residence.

8. Further attempts were made to Defendant Howard's last known address on April 4, 2023, April 7, 2023, April 10, 2023 and April 17, 2023. During each attempt there was no answer at the address.

9. Service was next attempted via process server employed by Plaintiff at Defendant Howard's place of employment the State of New Jersey Department of Corrections Central Office Headquarters (102 Whittlesey Road Trenton, NJ 08618) on May 1, 2023, where an employee stated Mr. Howards was not available at the time.

10. Service was first attempted via process server employed by Plaintiff at Defendant Myer's home address (850A South Warren Street Trenton NJ, 08611) on March 21, 2023, where there was no answer.

11. On March 22, 2023 the process server again attempted service at

Myers' home address, but there was no answer.

12. On March 25, 2023 the process server spoke with an individual who indicated that they were the resident and that Defendant Myers resides at the residence but refused to respond to the door. The process server further observed a package addressed to Defendant Myers and a call/mailbox listing Myers as a resident.

13. On March 27, 2023 the process server returned to Defendant Myers residence and was greeted by a woman who identified herself as Candice and Defendant Myer's daughter. Candice refused to accept service and stated that any correspondence should be sent to her lawyer, Sadek and Cooper in Mont Laurel.

14. Additional attempts were made on March 31, 2023, April 5, 2023 and April 10, 2023 to no avail.

15. Contact was made with Sadek and Cooper in Mont Laurel who stated that they were not representing Defendant Myers in the present matter and would not be accepting service on her behalf.

16. Per Plaintiff's counsel's instruction, the process server then made attempts to contact Defendant Myers via telephone (number ending in 9032) on March 22, 2023 and left contact information for Defendant Myers. To which no responses have been received to-date.

17. Service was next attempted via process server employed by Plaintiff at Defendant Myers' place of employment the State of New Jersey Department of Corrections Central Office Headquarters (102 Whittlesey Road Trenton, NJ 08618) on May 1, 2023, where an employee stated Ms. Myers was not available at the time.

18. An Affidavit of Non-Service regarding all service attempts on Defendant Howard is attached hereto as *Exhibit A*.

19. An Affidavit of Non-Service regarding all service attempts on Defendant Myers is attached hereto as *Exhibit B*.

20. Plaintiff has done their due diligence in attempting to personally serve both Howard and Myers.

21. To the best of Plaintiff's knowledge, Defendant Howard currently resides at 250 Plaza Blvd Apt E9 Morrisville, PA 19067 and is employed at New Jersey Department of Corrections but is clearly avoiding service.

22. To the best of Plaintiff's knowledge, Defendant Myers currently resides at 850A South Warren Street Trenton NJ 08611 but is clearly avoiding service.

23. Plaintiff has incurred expenses in its numerous attempts to locate and serve both Howard and Myers personally.

24. There would be no prejudice to Defendants Howard or Myers for allowing alternative service to be made via leaving the process at their usual places

of residence and mailing a copy by certified first-class mail to their addresses.

WHEREFORE, Plaintiff prays this Honorable Court grant an Order allowing service of process upon Defendant Jamil Howard and Candice Myers, by leaving a copy of the Summons and Second Amended Complaint at their respective places of residence and mailing a copy via U.S. Certified First-Class mail to their respective addresses, in accordance with Fed. R. Civ. P. 4(e)(1), and for such other and further relief this Court deems appropriate.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief.

Dated: May 4, 2023



Keith Altman, Esq.

EXHIBIT A

Civil Action No. **1:19-CV-18597-RMB-SAK**

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for **Jamil Howard**
was recieved by me on **3/21/2023**:

- ☐ I personally served the summons on the individual at *(place)* on *(date)* ; or
- ☐ I left the summons at the individual's residence or usual place of abode with *(name)* , a person of suitable age and discretion who resides there, on , and mailed a copy to the individual's last known address; or
- ☐ I served the summons on *(name of individual)* , who is designated by law to accept service of process on behalf of *(name of organization)*; or
- ☒ I returned the summons unexecuted because **Vacant** after attempting service at **24 Belmont Circle, Trenton, NJ 08618**; or
- ☐ Other *(specify)*

My fees are \$ 0 for travel and **\$ 85.00** for services, for a total of **\$ 85.00**.

I declare under penalty of perjury that this information is true.

Date: 03/21/2023



Server's signature

Johny Belorme

Printed name and title

**204 North Stanworth Drive
Unit B
Princeton, NJ 08540**

Server's address

Additional information regarding attempted service, etc:

3/21/2023 6:49 PM: The property appeared vacant which was supported by empty inside, meter off and neighbor.



Tracking #: 0103226019



Civil Action No. **1:19-CV-18597-RMB-SAK****PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for **Jamil Howard**
was recieved by me on **3/28/2023**:

- ☐ I personally served the summons on the individual at *(place)* on *(date)* ; or
- ☐ I left the summons at the individual's residence or usual place of abode with *(name)* , a person of suitable age and discretion who resides there, on , and mailed a copy to the individual's last known address; or
- ☐ I served the summons on *(name of individual)* , who is designated by law to accept service of process on behalf of *(name of organization)*; or
- ☒ I returned the summons unexecuted because **No contact** after attempting service at **250 PLAZA BLVD APT E9, MORRISVILLE, PA 19067-7610**; or
- ☐ Other *(specify)*

My fees are \$ 0 for travel and **\$ 95.00** for services, for a total of **\$ 95.00**.

I declare under penalty of perjury that this information is true.

Date: 04/17/2023



Server's signature

Brendan Markle

Printed name and title

**327 fox hollow dr
Feasterville, PA 19053**

Server's address

Additional information regarding attempted service, etc:

3/30/2023 3:58 PM: There was no answer at the address. I could hear a tv on but no one answered.

4/4/2023 1:32 PM: There was no answer at the address.

4/7/2023 9:27 AM: There was no answer at the address.

4/10/2023 7:01 PM: There was no answer at the address.

4/16/2023 3:51 PM: There was no answer at the address.



Tracking #: 0104795371



05/01/23
7:49 AM



Service attempted upon **Jamil Howard** at 102 Whittlesey Road, Trenton, NJ 08618



I spoke with an individual who identified themselves as the darlene nichol and they stated subject employed but not available at this time.

Server:



David DiRuggeris



STATE OF NEW JERSEY

DEPARTMENT OF CORRECTIONS



CENTRAL OFFICE HEADQUARTERS

VICTORIA L. KUHN, ESQ.
COMMISSIONER

PHILIP D. MURPHY
GOVERNOR

SHEILA Y. OLIVER
LT. GOVERNOR



EXHIBIT B

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. **1:19-CV-18597-RMB-SAK****PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*


This summons for **Candice Myers**
 was recieved by me on **3/21/2023**:

- ☐ I personally served the summons on the individual at *(place)* on *(date)* ; or
- ☐ I left the summons at the individual's residence or usual place of abode with *(name)* , a person of suitable age and discretion who resides there, on , and mailed a copy to the individual's last known address; or
- ☐ I served the summons on *(name of individual)* , who is designated by law to accept service of process on behalf of *(name of organization)*; or
- ☒ I returned the summons unexecuted because **Other contact** after attempting service at **850A South Warren Street, Trenton, NJ 08611**; or
- ☐ Other *(specify)*

My fees are \$ 0 for travel and \$ **123.00** for services, for a total of \$ **123.00**.

I declare under penalty of perjury that this information is true.

Date: 04/11/2023



Server's signature

Johny Belorme

Printed name and title

**204 North Stanworth Drive
 Unit B
 Princeton, NJ 08540**

Server's address

Additional information regarding attempted service, etc:

3/21/2023 6:27 PM: There was no answer at the address.

3/22/2023 12:11 PM: There was no answer at the address.

3/22/2023 12:14 PM: I placed a phone call to number ending in 9032 resulting in no answer.

3/25/2023 11:08 AM: I spoke with an individual who indicated they were the resident and they stated subject resides but refused to respond. At the address I observed a package/mail addressed to subject and a call/mail box listing subject. A lady opened door recognize subject but refused documents.

3/27/2023 10:58 AM: I spoke with an individual who indicated they were the subject's daughter and they stated subject resides but refused to respond. The individual appeared to be a female contact. At the address I observed a package/mail addressed to subject and a call/mail box listing subject. The daughter opened the door and lady who



Tracking #: 0104471846



Civil Action No. **1:19-CV-18597-RMB-SAK**

identified herself as Candice refused to accept documents. Asked to send any correspondence to her lawyer: Sadek and Cooper in Mont Laurel...

3/27/2023 6:00 PM: I spoke with an individual who indicated they were the candice myers and they stated subject resides but refused to respond. Individual identified herself as Candice refused to receive documents. Asked to send documents to her lawyer Sadek and Cooper in Mont Laurel. Aldo asked not knock at door.

3/31/2023 10:34 AM: I spoke with an individual who indicated they were the subject's daughter and they stated subject resides but refused to respond. The individual appeared to be a female contact. At the address I observed a package/mail addressed to subject and a call/mail box listing subject. Subject refused documents and asked to forward to her lawyer.

4/5/2023 11:33 AM: I spoke with an individual who indicated they were the subject's daughter and they stated subject resides but refused to respond. The individual appeared to be a female contact. At the address I observed a package/mail addressed to subject and a call/mail box listing subject. Refused to accept documents.

4/10/2023 12:38 PM: I spoke with an individual who indicated they were the subject's daughter and they stated subject resides but refused to respond. The individual appeared to be a female contact. At the address I observed a package/mail addressed to subject and a call/mail box listing subject. Subject resides but refused to show up to accept documents.



Tracking #: 0104471846



05/01/23
7:46 AM

Case 1:19-cv-18597-RMB-SAK Document 64-1 Filed 05/04/23 Page 15 of 17 PageID: 554



Service attempted upon **Candice Myers** at 102 Whittlesey Road PO BOX, Trenton, NJ 08618 ^

I spoke with an individual who identified themselves as the darlene nichol and they stated subject employed but not available at this time.

Server:  David DiRuggeris

 (2)



STATE OF NEW JERSEY

DEPARTMENT OF CORRECTIONS



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PHILIP D. MURPHY
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LT. GOVERNOR

